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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MARTINEZ, DAVID E

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 01/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/870,880	Applicant(s) TRISNO ET AL.	
	Examiner David E Martinez	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-18 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/29/02 - 10/18/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Election/Restrictions***

Applicant's election with traverse of Group II in the reply filed on 10/18/04 is acknowledged. The traversal is on the ground(s) that both of Groups I and II contain address tables. This is not found persuasive because although there exists similarities on both groups containing address tables, other diverging differences between the two claimed groups still exist. In addition, the applicant does not argue the time to live differences between the two groups which was brought up at the time of the original restriction, and thus it is taken as an admission of a diverging difference between the two restricted groups. Examiner notes that Group II also has the limitations of "the reassigning of network addresses comprising of determining which records are unexpired, reassigning addresses only for expired records, the records for a node including the time to live field indicating a time remaining until expiration of the record and updating the record by resetting the time to live field for the record". All of the mentioned limitations are not claimed in Group I. These mentioned limitations require a separate search in the art, and thus makes this restriction proper.

The requirement is still deemed proper and is therefore made FINAL.

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: It does not include the inventor's signature.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 12-18 are rejected under 35 U.S.C. 102(b) as being anticipated by RFC 2131 – DHCP (hereinafter DHCP) *submitted by applicant* ^{or}.

1. With regards to claim 12, DHCP teaches in a network comprising a plurality of nodes, a method for assigning a different network address to each node [abstract on cover page], the method comprising each node performing the steps of:

periodically broadcasting a unique identifier for the node to the other nodes [page 11, section 2.2, “The second service... ..been retired.”, page 26, section 4.3.1., and page 27, 1st bullet. When a node requests for an extension on it's current address lease, that node must periodically broadcast a request (the request has the unique identifier within) for that address before that lease expires], wherein each node has a different unique identifier [all nodes come with unique hardware identifiers (MACs) that are preprogrammed into all the the network interfaces that correspond to each node. Pages 10-11, section 2.1, page 25, under section 4.2, “A DHCP server... ..hardware box”.];

receiving unique identifiers for the other nodes [page 8, field “chaddr”, and paragraph below Fig 1, page 9, defined as client hardware address. Each DHCP message between any client/server used the format of fig 1, the chaddr field is that of the requesting device. Also Section 2.2 on page 11 discloses clients requesting a network address, thus with the use of the DHCP message format of Fig 1, when the request is done, the client(s) send their unique identifiers “h/w address or MACs” to the server]; and

in an address table comprising a plurality of records, each record corresponding to one of the nodes and including a unique identifier for the node and a network address for the node [pages 10-11, section 2.1, DHCP provides a repository where it stores parameters for each client holding both it's unique identifier (hardware address/MAC) and their assigned network address (IP subnet number)]:

if a record containing the unique identifier does not exist, creating a new record and inserting the received unique identifier into the record [Pages 10-11, section 2.1]; and

if a record containing the unique identifier does exist, updating the record [Page 11, section 2.2 when updating the lease, the server must update the record]; and

reassigning the network addresses in the records based on the unique identifiers in the records [Page 11, section 2.2 the node who is extending it's lease must be reallocated a network address from the server. The requesting node provides the server with it's unique identifier each time they communicate], wherein each node determines which network address to assign to each record in a common predetermined manner [page 6, page 11, section 2.2].

2. With regards to claim 13, The method of claim 12, wherein the step of reassigning the network addresses in the records comprises:

determining which records are unexpired [page 11, section 2.2]; and

reassigning the network addresses only for unexpired records [page 11, section 2.2].

3. With regards to claim 14, DHCP teaches the method of claim 12 wherein the step of reassigning the network addresses in the records comprises:

reassigning the network addresses only when a new record is created [page 11, section 2.2].

4. With regards to claim 15, DHCP teaches the method of claim 12 wherein:

the record for a node further includes a time to live field indicating a time remaining until expiration of the record [page 44 host configuration parameters, "Default TTL" (TTL = Time to Live), and "TTL". Page 37, Table 5, "IP address lease time"]; and

the step of updating the record comprises resetting the time to live field for the record [page 11, section 2.2].

5. With regards to claim 16, DHCP teaches the method of claim 15 wherein;

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the step of periodically broadcasting a unique identifier to the other nodes comprises all nodes broadcasting their unique identifiers once per a time interval [page 12, section 3.1.1, page 15, section 3.1.3]; and

the step of resetting the time to live field comprises resetting the time to live field to a value at least two times as long as the time interval [pg 19, section 3.3].

6. With regards to claim 17, DHCP teaches the method of claim 15 wherein the step of reassigning the network addresses in the records comprises:

marking a record as expired when the time to live field for that record expires [pg 19, section 3.3 “the server may consider the lease expired before the client does”]; and

reassigning the network addresses only for unexpired records [page 11, section 2.2].

7. With regards to claim 18, DHCP teaches the method of claim 12 further comprising proxying the unique addresses for records which have expired but have not been purged [page 5, “Bootp relay agent” bullet, pg 6 – “DHCP should not require... ..relay agents” bullet, and page 12 section 3.1.1].

Allowable Subject Matter

Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,495,232 to Kochem et al. directed to relaying packets around a ring network.

US Patent No. 6,061,739 to Reed et al. directed to Network address assignment.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E Martinez whose telephone number is (571) 273-4152. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DEM



KIM HUYNH
PRIMARY EXAMINER

12/22/04